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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

BELL

CIVIL ACTION 08-0084

VERSUS

U.S. DISTRICT JUDGE DEE D. DRELL

J. C. PENNEY, et al


U.S. MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent (de novo) review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that the motion for summary judgment, Doc. #22, and supplemental motion for summary judgment, doc. #32, as well as the Daubert motion to exclude Dr. Christensen's testimony, doc. #37, are all DENIED.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this 12th day of OCTOBER, 2009.



Dee D. Drell
UNITED STATES DISTRICT JUDGE